UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
COLON, CATHERINE M

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 08/29/2002   #16

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No.	Applicant(s)
	09/419,266	THOMPSON ET AL.
	Examiner	Art Unit
	C. Michelle Colon	3623

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 June 2002</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5,6 and 10-28* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1 and 5* is/are allowed.

6)☒ Claim(s) *6 and 10-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

  If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

  a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

1.   The following is a Non-Final Office Action in response to the communication

received on June 6, 2002. Claims 2 – 4 and 7 – 9 have been withdrawn from further

consideration. Claims 1, 5, 6 and 10 – 28 are now pending in this application.

Claims 1, 5, 26 and 27 have been amended by Applicant. Claims 1 and 5 are

allowed. Claims 6 and 10 – 28 are rejected with new prior art references. The double

patenting rejection will be withdrawn upon the submittal of a signed Terminal

Disclaimer.

Response to Amendment

2.   Applicant's amendment to the abstract is sufficient to overcome the objection to

the abstract as set forth in the previous Office Action. Therefore, the objection to the

abstract from paper no. 12 is withdrawn.

Applicant's amendments to the claims are sufficient to overcome the claim

objections as set forth in the previous Office Action. Therefore, the claim objections

from paper no. 12 are withdrawn.

Claim Objections

3.   Claim 6 is objected to because of the following informalities: Claim 6, lines 7 –

11 contains "schools" twice. One of the instances should be removed.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claims 6 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 6 recites the limitation "said list" in line 22. There is no previous

mentioning of a generated list. Thus, there is insufficient antecedent basis for this

limitation in the claim.

Claim 27 recites the limitation "each of the generated lists" in the last limitation.

The previous mentioning of a generated list implies that a single list is generated for the

potential substitute workers. Thus, there is insufficient antecedent basis for this

limitation in the claim.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7.   Claims 6, 10 and 27 are rejected under 35 U.S.C. 102(a) as being anticipated by

the Subfinder™ System (hereinafter, "Subfinder"). This is a product rejection.

Therefore, the following references explaining the different aspects of Subfinder are considered as describing one product:

- "Automated Substitute Finder System," from the Internet (hereinafter, reference A);

- "Computer calls for substitutes," from *The Sun* (hereinafter, reference B);

- "School Watch The daily hunt for substitute teachers," from *The Atlanta Journal the Atlanta Constitution* (hereinafter, reference C); and

- "Myriad locations, student populations no longer hinder substitute management system," from *The Journal* (hereinafter, reference D)

As per claim 6, Subfinder discloses a method of performing substitute fulfillment by finding substitutes for absentee workers in an organization, comprising the steps of:

providing an automated substitute fulfillment system remote from said organization (reference A, page 1, paragraph 1; reference B, abstract; reference D, abstract; Subfinder is a system that allows school organizations to find substitute teachers. Subfinder further allows school district offices to house the system and separate school organizations to access the system remotely.);

wherein said organization is one or more of the group comprising schools, school districts, retail banks, branch offices of banks, convenience stores, manufacturing facilities, fire departments, police departments, hospitals, transportation departments, airlines and temporary worker agencies (reference A, page 1, paragraph 1; reference B,

abstract, page 2, paragraphs 16 and 17; reference D, abstract, page 1, paragraphs 3 –

6; Subfinder is a system that allows school organizations to find substitute teachers.);

initializing said substitute fulfillment system by creating a main database of stored

substitute fulfillment data records (reference A, page 1, paragraphs 2 and 5; Subfinder

maintains a database of absence and substitute fulfillment information.);

notifying said substitute fulfillment system of worker absence (reference A, page

1, paragraph 2; Subfinder allows employees to notify the system of absences.);

automatically identifying potential substitute workers using said substitute

fulfillment system (reference A, page 1, paragraphs 2 and 3; reference C, page 1,

paragraph 6; Subfinder automatically identifies potential substitute workers.);

automatically contacting potential substitute workers serially and relaying a

replacement request until one potential substitute agrees to cover said absence or until

said list is exhausted (reference A, page 1, paragraphs 2 and 3; reference C, page 1,

paragraph 6; Subfinder automatically calls potential substitute workers from a list of

identified potential substitute workers until someone accepts the job or until the list is

exhausted.);

notifying personnel in said organization of the results (reference A, page 1,

paragraphs 2 – 5; Subfinder updates the substitute information in the database and

further notifies personnel in the organization of the results via reports.).

As per claim 10, Subfinder discloses a method of performing substitute fulfillment

by finding floating workers for absentee workers in an organization, comprising the

steps of:

providing an automated substitute fulfillment system remote from said organization (reference A, page 1, paragraph 1; reference B, abstract; reference D, abstract; Subfinder is a system that allows school organizations to find substitute teachers. Subfinder further allows school district offices to house the system and separate school organizations to access the system remotely.);

initializing said substitute fulfillment system by creating a main database of stored floating workers fulfillment data records (reference A, page 1, paragraphs 2 and 5; Subfinder maintains a database of absence and substitute fulfillment information.);

notifying said floating worker fulfillment system of a worker absence (reference A, page 1, paragraph 2; Subfinder allows employees to notify the system of absences.);

automatically identifying floating workers who should be notified by said system (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically identifies potential substitute workers.);

automatically contacting a floating worker and relaying absent worker's position and location (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically calls potential substitute workers from a list of identified potential substitute workers until someone accepts the job or until the list is exhausted.); notifying personnel in said organization of the results (reference A, page 1, paragraphs 2 – 5; Subfinder updates the substitute information in the database and further notifies personnel in the organization of the results via reports.).

As per claim 27, Subfinder discloses a method for performing substitute fulfillment for a plurality of organizations comprising:

receiving an absentee list from an organization via at least one communication link, said list comprising one or more absent workers (reference A, page 1, paragraph 2; Subfinder receives absentee information of an absent worker via a telephone communication.);

generating in response to receiving the absentee list a list of one or more potential substitute workers who can fill in for each absent worker on the absentee list using worker records having information associated with the absent worker and substitute records having information associated with at least one substitute worker (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically identifies potential substitute workers.); and

contacting potential substitute workers listed on each of the generated lists until one of the substitute workers in each of the generated lists agrees to fill in for the absent worker or until the generated list is exhausted for each generated list until all of the generated lists are exhausted (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically calls potential substitute workers from a list of identified potential substitute workers until someone accepts the job or until the list is exhausted.).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 11 – 21 and 24 – 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over the Subfinder™ System (hereinafter, "Subfinder"). This is a product

rejection. Therefore, the following references explaining the different aspects of

Subfinder are considered as describing one product:

- "Automated Substitute Finder System," from the Internet (hereinafter,

  reference A);

- "Computer calls for substitutes," from *The Sun* (hereinafter, reference B);

- "School Watch The daily hunt for substitute teachers," from *The Atlanta

  Journal the Atlanta Constitution* (hereinafter, reference C); and

- "Myriad locations, student populations no longer hinder substitute

  management system," from *The Journal* (hereinafter, reference D).

As per claims 11 and 25, Subfinder discloses a substitute fulfillment system that

identifies and secures by finding substitute workers for a plurality of organizations

comprising:

a database comprising worker records, said worker records having information associated with workers for each of the organizations, and substitute records, said substitute records having information associated with at least one substitute worker (reference A, page 1, paragraphs 2 and 5; reference D, abstract; Subfinder maintains a database of worker records including absence and substitute fulfillment information.); and

a server coupled to the database (reference D, page 2, paragraphs 11 and 12), the server is configured for:

receiving absentee information representing an absent worker via at least one communication link coupled to the server (reference A, page 1, paragraph 2; Subfinder receives absentee information of an absent worker via a telephone communication.);

generating in response to receiving the absentee information a list of one or more potential substitute workers who can fill in for the absent worker using the worker records associated with the absent worker and the substitute records (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically identifies potential substitute workers.); and

contacting potential substitute workers listed on the generated list until one of the substitute worker agrees to fill in for the absent worker or until the generated list is exhausted (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically calls potential substitute workers from a list of identified potential substitute workers until someone accepts the job or until the list is exhausted.).

Subfinder does not expressly disclose that the organizations are different.

However, reference B does disclose the use of Subfinder for personnel other than

teachers (page 2, paragraph 16) and reference D discloses using Subfinder for a 400-

school district that encompasses a vast array of schools with differing teacher

responsibilities and qualifications and that is geographically diverse (abstract, page 1,

paragraphs 3 – 6).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to have the substitute fulfillment system include differing

organizations because even differing organizations have overlapping responsibilities

and positions. By using a central substitute fulfillment system, the differing

organizations can pool substitute worker resources and fill absent positions more

effectively and efficiently.

As per claim 12, Subfinder discloses the substitute fulfillment system of claim 11

wherein each of the least one communication link is a link from the group consisting of a

telephone communication link or an Internet communication link (reference A, page 1,

paragraph 2; Subfinder receives absentee information of an absent worker via a

telephone communication.).

As per claim 13, Subfinder discloses the substitute fulfillment system of claim 12

wherein the server generates the list of one or more substitute workers using a

preferred list of substitute workers associated with the worker record for the absent

worker (reference A, page 1, paragraph 2; reference B, page 1, paragraph 6; reference

C, page 2, paragraph 7; Subfinder creates a list of the most preferred or qualified substitute workers.).

As per claim 14, Subfinder discloses the substitute fulfillment system of claim 12 wherein the server is further configured to generate a list of absent workers for an organization and to transmit the generated list of absent workers to the organization via the at least one communication link (reference A, page 1, paragraphs 2, 5 and 7; reference D, abstract, page 1, paragraph 3, page 2, paragraphs 11 and 12; Subfinder can be accessed by an organization remotely and, therefore, the list of absent workers can be accessed by an organization remotely via at least one communication link.).

As per claim 15, Subfinder discloses the substitute fulfillment system of claim 12 wherein the server is further configured to generate a list of substitute workers and names of the absent workers who the substitute workers will be filling in for a given organization and to transmit the generated list of substitute worker and names of the absent workers who the substitute workers will be filling in for to the given organization via the at least one communication link (reference A, page 1, paragraphs 2, 4 and 5; Subfinder generates a list of substitute workers as well as the names of absent workers who the substitutes will be filling for. Organizations can access the lists remotely via at least one communication link.).

As per claim 16, Subfinder discloses the substitute fulfillment system of claim 12 further comprising an interactive voice response system controlled by the server for interacting with a potential substitute worker from the generated list of potential substitute workers via at least one telephone communication link whereby the potential

substitute worker is secured for filling in for the absent worker (reference A, page 1, paragraphs 2, 4 and 5; reference B, abstract, page 2, paragraph 9; reference C, page 1, paragraph 6; reference D, page 2, paragraph 11; Subfinder uses an interactive voice response system to interact with potential substitute workers.).

As per claim 17, Subfinder discloses the substitute fulfillment system of claim 12 wherein the server is further configured to receive a message via the at least one communication link and to forward the received message to the substitute worker who agrees to fill in for the absent worker via the at least one communication link (reference A, page 1, paragraphs 2, 4 and 5; reference B, abstract, page 2, paragraphs 9 and 21; reference C, page 1, paragraph 6; reference D, page 2, paragraph 11; Subfinder can receive messages and forward them to substitute workers.).

As per claim 18, Subfinder discloses the substitute fulfillment system of claim 11 wherein each worker record comprises worker identification, contact, position, qualification, and substitute selection information (reference A, page 1, paragraphs 2, 4 and 5; reference C, page 2, paragraph 7).

As per claim 19, Subfinder discloses the substitute fulfillment system of claim 11 wherein each worker record further comprises entitlement information and historical information of absences and substitute fulfillment events (reference A, page 1, paragraphs 2, 4 and 5; reference C, page 1, paragraph 6).

As per claim 20, Subfinder discloses the substitute fulfillment system of claim 11 wherein each substitute worker record comprises substitute identification, contact,

qualification, and availability information (reference A, page 1, paragraphs 2, 4 and 5; reference C, page 2, paragraph 7).

As per claim 21, Subfinder does not expressly disclose the substitute fulfillment system of claim 11 wherein the organizations are unaffiliated.

However, reference B does disclose the use of Subfinder for personnel other than teachers (page 2, paragraph 16) and reference D discloses using Subfinder for a 400-school district that encompasses a vast array of schools with differing teacher responsibilities and qualifications and that is geographically diverse (abstract, page 1, paragraphs 3 – 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have the substitute fulfillment system include unaffiliated organizations because even unaffiliated organizations have overlapping responsibilities and positions. By using a central substitute fulfillment system, the unaffiliated organizations can pool substitute worker resources and fill absent positions more effectively and efficiently.

As per claim 24, Subfinder discloses the substitute fulfillment system of claim 11 wherein the workers are teachers and the substitute workers are substitute teachers (reference A, page 1, paragraphs 1 and 2; reference B, abstract; reference C, page 1, paragraph 6, page 2, paragraph 7; reference D, abstract).

As per claim 26, Subfinder discloses a method for performing substitute fulfillment for a plurality of different organizations comprising:

receiving absentee information representing an absent worker via at least one communication link (reference A, page 1, paragraph 2; Subfinder receives absentee information of an absent worker via a telephone communication.);

generating in response to receiving the absentee information a list of one or more potential substitute workers who can fill in for the absent worker using worker records having information associated with at least one substitute worker (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically identifies potential substitute workers.);

contacting potential substitute workers listed on the generated list via at least one telephone link (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically calls potential substitute workers from a list of identified potential substitute workers until someone accepts the job or until the list is exhausted.); and

interacting with the potential substitute worker using an interactive voice response system until one of the substitute workers agrees to fill in for the absent worker or until the generated list is exhausted (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6; Subfinder automatically calls potential substitute workers from a list of identified potential substitute workers until someone accepts the job or until the list is exhausted.).

Subfinder does not expressly disclose that the organizations are different. However, reference B does disclose the use of Subfinder for personnel other than teachers (page 2, paragraph 16) and reference D discloses using Subfinder for a 400-

school district that encompasses a vast array of schools with differing teacher

responsibilities and qualifications and that is geographically diverse (abstract, page 1,

paragraphs 3 – 6).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to have the substitute fulfillment system include differing

organizations because even differing organizations have overlapping responsibilities

and positions. By using a central substitute fulfillment system, the differing

organizations can pool substitute worker resources and fill absent positions more

effectively and efficiently.

10.   Claims 22, 23 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Subfinder as applied above and Taylor (U.S. 5,832,497).

As per claim 22, Subfinder discloses the substitute fulfillment system of claim 12

that enables substitute workers to search for work (reference A, page 1, paragraphs 1

and 2; reference B, abstract, page 2, paragraph 24).

Subfinder does not expressly disclose a website interface coupled to the server,

the website interface posting a list of positions of absent workers that needs to be filled

by substitute workers on a website, wherein the list of positions is generated by the

server using received information regarding absent workers thereby providing an

opportunity for substitute workers to search for work.

Taylor discloses a website interface coupled to the server, the website interface

posting a list of positions of absent workers that needs to be filled by substitute workers

on a website, wherein the list of positions is generated by the server using received

information regarding absent workers thereby providing an opportunity for substitute

workers to search for work (col. 1, lines 33 – 42; col. 2, lines 48 – 51; col. 2, line 65 –

col. 3, line 19; col. 6, lines 58 – 64; The reference discloses posting a list of positions

generated from a server on a website and allowing work searchers to search through

the list of positions.).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to utilize a website interface to interact with substitute workers

searching for work because the Internet provides a convenient and globally accessible

medium through which users can easily and quickly interact (Taylor, col. 2, lines 34 –

39).

As per claim 23, Taylor discloses the substitute fulfillment system of claim 22

wherein the server is further configured to secure a substitute worker in response to the

substitute worker selecting a posted position via the Internet communication link (col. 4,

line 63 – col. 5, line 5; col. 5, lines 49 – 62; The reference discloses allowing workers to

select a posted position by submitting an application for that position. The reference

further discloses employers reviewing submitted applications for particular job

postings.).

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to utilize a website interface to interact with substitute workers

searching for work because the Internet provides a convenient and globally accessible

medium through which users can easily and quickly interact (Taylor, col. 2, lines 34 –
39).

As per claim 28, Subfinder discloses a method for performing substitute
fulfillment for a plurality of different organizations comprising:

receiving absentee information representing an absent worker via at least one
communication link (reference A, page 1, paragraph 2; Subfinder receives absentee
information of an absent worker via a telephone communication.);

generating a list of positions of absent workers that need to be filled by substitute
workers (reference A, page 1, paragraphs 2 and 3; reference C, page 1, paragraph 6;
Subfinder automatically identifies potential substitute workers.).

Subfinder does not expressly disclose placing the list of positions on a website,
receiving a response by a substitute worker selecting a posted position on the website
via an Internet communication link; and securing via the Internet communication link the
substitute worker who selected the posted position to fill in for the absent worker.

Taylor discloses placing the list of positions on a website, receiving a response
by a substitute worker selecting a posted position on the website via an Internet
communication link (col. 4, line 63 – col. 5, line 5; col. 5, lines 49 – 62; The reference
discloses allowing workers to select a posted position by submitting an application for
that position.); and

securing via the Internet communication link the substitute worker who selected
the posted position to fill in for the absent worker (col. 4, line 63 – col. 5, line 5; col. 5,

lines 49 – 62; The reference discloses allowing employers to review submitted applications for hiring of workers for particular job postings.).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize a website interface to interact with substitute workers searching for work because the Internet provides a convenient and globally accessible medium through which users can easily and quickly interact (Taylor, col. 2, lines 34 – 39).

Response to Arguments

11.   Applicant's arguments are moot in view of the new grounds of rejection and allowance of claims 1 and 5.

Reasons for Allowance

12.   Claims 1 and 5 are allowed.

The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*,

a central server that processes information associated with a plurality of different organizations; a central database coupled to the central server, the central database including records that store substitute fulfillment data associated with each of the plurality of different organizations, wherein for each of the different organizations the fulfillment data includes worker records representing workers that may be absent from the organization and substitute worker records representing substitute workers that may

be used to fill a position of an absent worker; a plurality of local processors that are

remote from the central server, each of the local processors being associated with one

of the different organizations and having a separate local database coupled thereto,

wherein each local database is associated with one of the different organizations and

includes worker records representing workers that may be absent from the organization

and substitute worker records representing substitute workers that may be used to fill a

position of an absent worker; wherein the central database maintains each of the

records on each local database in parallel with a corresponding record on the central

database by periodically updating the records on the local databases in response to

data changes on the central database, and wherein each local database maintains

records on the central database in parallel with corresponding records on the local

database by periodically updating the records on the central database in response to

data changes on the local database; at least one telephone communication link coupled

to the central server, wherein the telephone communication link provides information

representing absent workers to the central server, the central server identifies one or

more of the substitute workers in response to the information representing absent

workers, and the central server communicates information representing positions to be

filled to substitute workers via the telephone communication link or an Internet

communication link; and wherein the central server periodically transmits reports that

include absentee and substitute information to each of the different organizations via the

telephone communication link or the Internet communication link.

The prior art references most closely resembling the Applicant's claimed

invention are the product, Subfinder™ whose articles describing it are provided in

further detail below, and "'TeacherReacher' A New Feature," *NEA Today*, November

1992.

First, Subfinder™ is a system that allows school districts to automatically find and

schedule substitute teachers upon notification of an absence. The system uses a

database of personnel information to find and create a list of preferred substitutes and

automatically calls the substitutes on the list until the position is filled. However,

Subfinder™ does not teach or suggest the maintaining of substitute fulfillment data

representing worker records and substitute records of a plurality of different

organizations on local, remote databases wherein the substitute fulfillment data is

further mirrored on a central database, and a central server that process information

from the central database further identifying one or more substitute workers in response

to information representing absent workers, and communicating information

representing positions to be filled to substitute workers via the telephone communication

link or an Internet communication link.

Second, "'TeacherReacher' A New Feature" discusses a service that allows

schools to acquire substitute teachers upon short notices by searching through a

database and automatically calling the list of potential substitutes until someone

accepts. However, "'TeacherReacher' A New Feature" does not teach or suggest the

maintaining of substitute fulfillment data representing worker records and substitute

records of a plurality of different organizations on local, remote databases wherein the

substitute fulfillment data is further mirrored on a central database, and a central server

that process information from the central database further identifying one or more

substitute workers in response to information representing absent workers, and

communicating information representing positions to be filled to substitute workers via

the telephone communication link or an Internet communication link.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance."

Additionally, the application having been allowed, formal drawings are required in

response to this Office Action.

Conclusion

13.   Claims 1 and 5 are allowed. Claims 6 and 10 – 28 are rejected.

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

- Willis, William. "Telephony products enhance convenience, communication &

  distance learning," *The Journal* v23 n7 p12(4), February 1996, discusses

  Subfinder;

- Gellermen, Elizabeth. "Telephone technology increases communication across

  the board," *The Journal* v21 n10 p14(4), May 1994, discusses Subfinder;

- Baca, Aaron. "Throwing out the sub routine now computers, not secretaries, can find substitutes for absent teachers," *The Santa Fe New Mexican*, February 20, 1996, discusses using computers and phone lines to automatically find substitute teachers;

- Wilson, Carol. "The start of something big," *Telephony*, July 6, 1992, briefly mentions the TeacherReacher system used to find substitutes;

- "BellSouth annual meeting takes shareholders back to school and demonstrates education-related technologies," *PR Newswire*, April 27, 1992, briefly mentions the TeacherReacher system used to find substitutes;

- Fields et al. (U.S. 5,111,391) discusses a staff scheduling system;

- Richardson, Jr. et al. (U.S. 5,113,430) discusses a wide area audio response network; and

- Sattar (U.S. 5,255,305) discusses an integrated voice processing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 703-605-4251. The examiner can normally be reached Monday – Thursday from 8:30am to 5:30pm and every other Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 703-305-9643.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
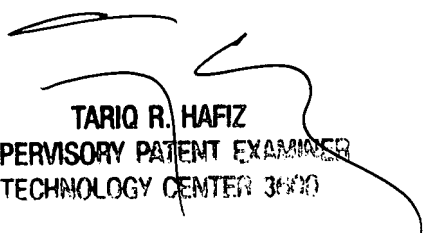
Washington D.C. 20231

or faxed to:

703-305-7687   [Official Communications; including After Final

communications labeled "Box AF"]

703-746-7202   [For status inquiries, draft communication, labeled

"Proposed" or "Draft"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,

Arlington, VA 7th floor receptionist.

CMC
August 23, 2002

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600